The regular meeting of the Council of the City of Martinsville, Virginia was held on June 16, 2015 in Council Chambers, Municipal Building at 7:30pm, Closed Session beginning at 6:30pm with Mayor Danny Turner presiding. Council members present: Mayor Danny Turner, Vice Mayor Jennifer Bowles, Council Member Gene Teague, Council Member Sharon Brooks Hodge and Council Member Mark Stroud. Staff members present included: City Manager Leon Towarnicki, City Attorney Eric Monday, Assistant City Manager Wayne Knox, Karen Roberts and Police Chief Sean Dunn.

Mayor Turner called the meeting to order and advised Council will go into Closed Session. In accordance with Section 2.1-344 (A) of the Code of Virginia (1950, and as amended) and upon motion by Vice Mayor Bowles, seconded by Council Member Hodge with the following recorded 5-0 roll-call vote: Mayor Turner, aye; Vice Mayor Bowles, aye; Council Member Hodge, aye; Council Member Teague, aye; Council Member Stroud, aye. Council convened in Closed Session for the purpose of discussing the following matters: A) Appointments to boards and commissions as authorized by Subsection 1. B) Consultation with legal counsel and briefings by staff members, attorneys or consultants pertaining to actual or probable litigation, or other specific legal matters requiring the provision of legal advice by such counsel, as authorized by Subsection 7. C) Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the government unit would be adversely affected, as authorized by Subsection 6. D) Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body, as authorized by Subsection 29. Coming out of closed session at 7:30pm, Mayor Turner indicated closed session was in recess and would reconvene upon conclusion of the regular Council meeting.

Council returned to Open Session at 7:30pm.

Invocation and Pledge to the American Flag-Council Member Gene Teague.

Consider approval of minutes: Motion made by Vice Mayor Bowles to approve minutes for May 12, 2015, May 26, 2015 and June 8, 2015 Council

meetings, motion seconded by Council Member Teague, motion passed with 5-0 vote, all in favor.

Approval of agreement continuing management of West Piedmont Business Development Center under the Martinsville-Henry County Chamber of Commerce's Partnership for Economic Growth: City Manager Towarnicki gave a brief explanation of the formation of the partnership between the City and C-PEG regarding operation of the Incubator, noting operation of the West Piedmont Business Development Center have gone extremely well since 2014 under C-PEG's direction. Council Member Teague gave a brief history of the incubator and Amanda Witt of the Chamber of Commerce also stated that things are going well. They are at 93% occupancy at this time with first and third floors full and no more office space available. City Manager Towarnicki reviewed a revised Memorandum of Understanding for continued management of the Incubator under C-PEG's direction with an initial one year term from July 1, 2015 through June 30, 2016, with 4 successive automatic one-year renewals. Either party (City or C-PEG) can terminate the agreement with a minimum of 90 days written notice prior to the expiration of each annual term. A signed copy of the MOU will be kept on file in the City Manager's office.

#### MEMORANDUM OF UNDERSTANDING

#### WITNESSETH

THAT, WHEREAS the Cety (through the Martinsville Industrial Development Authority) currently owns the property located at 22 East Church Street, Martinsville, VA, said property acquired for the purpose of development and operation of a business incubator (the "Incubator"); and,

WHEREAS, since its inception, the Incubator has operated as the West Piedmont Business Development Center (WPBDC), incorporated by the Commonwealth of Virginia's State Corporation Commission as a non-stock corporation Commission as a non-stock corporation pursuant to Chapter 10, Article 10 of Tatle 13.1 of the Code of Virginia; and,

WHEREAS, recognizing the value and importance of the Incubator as a resource for the community to premote, stimulate, encourage, assist, and provide educational opportunities for new or developing business owners or entrepreneurs, and also recognizing a close parallel to current operations of the Chamber and C-PEG salated to small business, the City and C-PEG executed a Memorandum of Understanding for C-PEG's management of the Incubator for an initial paried from April 1, 2014 through Jame 30, 2015, during which time C-PEG had done an outstanding job; and,

WHEREAS, the City and C-PEG mutually desire to extend C-PEG's management responsibility for continued operations of the incubator under the guidance and direction of current Chamber lead or thip and C-PEG Board of Directors;

NOW, THEREFORE, in consideration of the mutual and respective covariants and agreements contained herein and made with respect to the performance of the services by C-PEG, the parties to this MOU bereby agree as follows:

- Term and Renewals The term of this MOU shall cover a one (1) year period from July 1, 2015
  through June 30, 2016 and will automatically sense for four (4) successive one year periods
  beginning July 1, 2016, settleding through Juna 30, 2020. Either party may cancellopt out of
  automatic renewal with a minimum of 90 days written notice prior to the expiration of any annual
- The Incubator will continue to be operated under the name of West Piedmont Business Development Canter, with operations to cemain at the current facility at 22 East Church Street, Martinzville, VA, with general business hours from 8 am until 5 pm.
- 3. Management of WPBDC will be by C-PEG under the guidance of the Board of Directors of C-PEG.
- The City will commit to the level of funding and support currently provided to the WPBDC in the City's FY16 budget (subject to City Council approval) including an annual financial contribution, and

- use of the building including electricity, water, and sewer, and garbage services. Additionally as building owner, the City will be responsible for major maintenance such as HVAC, roof, structure, major repairs, etc.
- C-PEG will be responsible for routine daily maintenance related to operation; such as general
  cleaning, trashremoval, replacement of bulbs, elevator inspections, carpet cleaning, fire extinguisher
  maintenance, service checks, etc.
- 6. C-PEG will provide staff presence in the building related to functions associated with a business incubator environment. C-PEG will have the ability to market, design and implement training and stated programs for business tenants, and utilize the space in the building for business incubatortype activities and events.
- C-PEG will present reports periodically to the governing bodies of both Martinsville and Henry County regarding operations.
- C-PEG will handle all financials including billing, payables, receivables, i.e. the City will not have responsibility related to being fiscal agent.
- 10. The City will maintain one seat on C-PEG's Board.

IN WITNESS WHEREOF, Martinoville City Council, party of the first part, has caused this MOU to be accounted in its name by the City Manager, and C-PEG, party of the second part, has caused this MOU to be executed in its name by its Board President; this the day and year first above written.

MARTINSVILLE CITY COUNCIL	C-PEG	
BY:	BY:	
City Manager	Board President	

2

A motion was made by Council Member Hodge, seconded by Vice-Mayor Bowles, to approve the MOU as presented and to authorize the City Manager to execute the agreement. Motion passed 5–0 with all voting in favor.

Memorandum of Understanding (MOU) with the Martinsville-Henry County Chamber of Commerce's Partnership for Economic Growth for certain services related to expansion of efforts involving small business development in the City of Martinsville: City Manager Towarnicki provided background information regarding Council's discussion from the March strategic planning session and the desire expressed by Council to enhance and expand efforts related to small business development. It was noted Council initially requested the Martinsville-Henry County EDC to consider reallocating \$60,000 of the \$279,500 City EDC funding for contracting with C-PEG for this purpose and after the EDC Board declined, Council voted during budget deliberations to reduce EDC funding from \$279,500 to \$219,500, and to contract directly with C-PEG for the desired services. A draft Memorandum of Understanding has been developed based upon Council discussions related to small business development efforts, and City Manager Towarnicki reviewed the document, specifically the tasks included under the scope of work.

### DRAFT - 06/12/15

#### MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING, (the "MOU") made and entered into this the day of \_\_\_\_\_, 2015 by and between the City of Martinville, a municipal corporation created and existing under and by virtue of the laws of the State of Virginia (hereinafter referred to as "Gity"), party of the first part, and the Martinville-Henry County Chamber of Commerce's Partnership for Economic Growth (C-PEG)\_patty of the second part,

#### WITNESSETH

THAT, WHEREAS the City of Martinsville desires to allocate additional resources toward small business development to include (but not limited to) recruitment, marketing, expanded technical support and services, incentive programs, etc., for the purpose of expanding the City's tax base, job creation, and increased business growth and activity in the Uptown and other commercial areas; and,

WHEREAS, C-PEG has agreed to contract with the City to provide those and related services for the FY16 fiscal year;

NOW, THEREFORE, in consideration of the mutual and respective covenants and agreements contained herein and male with respect to the performance of the services by C-PEG, the parties to this MOU hereby agree as follows:

- Term—The term of this MOU shall cover a one (1) year period from July 1, 2015 through June 30, 2016. During and as part of the FY17 City budget deliberations, City Council and C-PEG will evaluate the results success of the program and mutually agge, regarding extension of the program for additional periods of time and/or any changes or modifications as may be needed in regard to the scope of work.
- Payment The City will compensate C-PEGfor the services described in this MOU in the amount of \$60,000 for the FY16 fixed year, payable in two installments of \$30,000 each in July, 2015 and January, 2016.
- Council Updates C-PEG will provide updates to City Council no less than on a quarterly basis, and more frequently if necessary to keep Council apprised of activities and efforts in regard to the execution of this MOU.
- 4. Scope of Work The scope of work included under this MOU shall include at a minimum, the following:
- a) CPEG will research the possibility of expanding the current small business incubator into different areas of the City, CPEG will also research tech and retail incubators which are achieving levels of success in other communities to determine if they would be a good fit for the City of Marinsville, CPEG officials will visit to incubators to learn best practices and decide what scale they will be applicable on in Martinsville. Once the research is done, a

report and recommendation will be presented to CPEG, Council, etc.

- b) CFEG will develop a comprehensive list of incentives currently available through the City, MURA, CFEG, EDC, and others; will avaluate incentives offered in other communities; and will provide accommendation; urguestion respecting changes that might be beneficial. A plan will be developed outlining options to apply/layer multiple-programs relative to the City and CFEG's ability to access frounding streams. This information will be made available to businesses/prospective businesses, entrepreneurs, etc. in written and electronic format and a simplified online navigation process will be developed. Additional microlous funding will be sought as an additional banefit for businesses in Matrinville. CFEG will also craft an aggressive incentive package for up to 5 new businesses willing to locate in the City of Martinville to include startup outs, utilities, telecom/MINET, stagered tax plan, agterosmother between the communities of the communities of
- c) CPEG will create new activities other than those that currently exist for the Uptown area to help draw visitors ichoppers. CPEG will also discuss longer or altered hours foruptown merchants during nuch event. CPEG will facilities an uptown planning process to determin appropriate ways to target incentives to a sist with the development of unused funderutilized properties. CPEG will lead and identify new or underutilized partners through DPEG and others to assist with startup 6015, develop business plan competitions, implement an enterpreseural boot camp-type curriculum with training providers to as its businesses in taking their business from an dead to a reality. CPG will visit Verginia Main Street communities that are realizing success to gain insight into best practices to replicate in the City of Martiniville. CPEG will also review uprior reali strategy studies and make changes ideditions/corrections to those studies to meet changing market conditions as well as to meet City per and and initiatives.
- d) CPEG will work dilgently to reach out to small businesses within the city limits to make them aware of any opportunities to assist with business development. This includes bulk mail, phone calls, one one one, gengleing, entail blast a well as utilizing MoVT's a conduitto deliver these messages CPEG will also provide data regarding city businesses, the opportunities available for them, how the information is communicated to small businesses, and how many have taken advantage of any such opportunities.
- e) CPEG and the Chamber will continue providing mentoring assistance for small businesses in both the City and the County. This process will move to a more intentive level with efforts geared toward development of a one-top-shop concept for community. This includes business plan assistance, financial planning, permitting itsue, legal, business lienning, zoning, efforts to identify a suitable space for start-up, parking loading windowing, etc. C-PEG will also continue to follow up with businessee on a regular basis.

2

	of tasks related to this MOU, through frequent interacti
	heremay beopportunities or need to refocus or redir- s needed in regard to information available through C
	G's Board. Additionally, two members of the former ciation (MURA) will occupy seats on C-PEG's Board.
IN WITNESS WHEREOF, Martinsville City	Council, party of the first part, has caused this MOU to
	C-PEG <sub>e.</sub> pagty of the second part, has caused this MOU ent; this the day and year first above written.
be executed in its name by its Board Presid	

Amanda Witt, Executive Director of the MHC Chamber of Commerce also provided comments related to C-PEG's efforts in this regard. After discussion, Council requested three additions/modifications to the MOU; (1) under Scope of Work, item 4 (a) – requested that as part of C-PEG's research regarding tech and retail incubators, that research also include a vocational/skills development incubator; (2) in item 4(b) that a review of incentives also include a review of how effective incentives are; and (3) in item 4(e), consideration be given to assigning a specific individual or staff person as a mentor on a case by case basis related to each small business case or inquiry. City Manager Towarnicki and Ms. Witt agreed to review the requests and to revise the MOU accordingly. Council took no formal action since it was noted the MOU is in draft stage for Council's review. It was also noted the revised MOU will be brought back to Council at the June 30 meeting for Council approval.

Zoning Ordinance Re-write: Wayne Knox, Assistant City Manager/Director of Community Development gave a brief presentation on the lengthy project of rewriting the Zoning Ordinance and then introduced Frank Cox of The Cox Company, the firm contracted with for much of the work. It was noted the information being presented is draft/preliminary and the matter will be discussed with the Planning Commission. The Commission will conduct a public hearing followed by a recommendation to Council, and then Council will conduct another hearing prior to adoption of the changes. Mr. Cox then presented a brief review of the draft information.

Administration and Enforcement Definitions General Provisions Site Plan Regulations Nonconformity Sign Regulations Zoning Amendments VIII. Special Use Permits R-E Estate Residential District (formerly R-16) R-N Neighborhood Residential District (formerly R-9) R-C City Residential District (formerly R-6) R-T Transitional Residential District (formerly P-1, P-2, RP-1) XIII. C-N Neighborhood Commercial District (formerly C-1, C-1A) XIV. C-UB Uptown Business District (formerly C-2) XV. C-C Corridor Commercial District (formerly C-3) XVI. ED-MA Economic Development District - Medical & Academic (new district) XVII. ED-G Economic Development District – General (formerly M-1) XVIII. ED-I Economic Development District - Intensive (formerly M-2) XIX. TND-O Traditional Neighborhood Development Overlay District XX. EC-O Entrance Corridor Overlay District XXI. HP-O Historic Preservation Overlay District

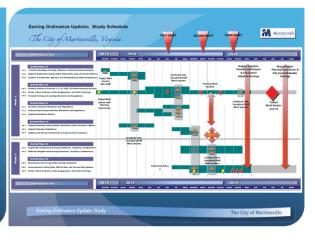
Table of Contents

XXIII. Off-Street Parking and Loading
XXIV. Proffers
XXV. Board of Zoning Appeals

Zoning Ordinance Update Study

The City of Martinsville

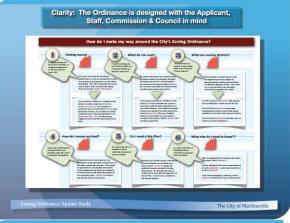
Presentation to City Council | June 16, 2015



October, 2013: Project Commenced
October – December, 2013: Work Sessions
January – May, 2014: Draft Working Papers
June, 2014: First Draft of Ordinance
October, 2014: Second Draft of Ordinance
February, 2015: Third Draft of Ordinance
June, 2015: Additional Revisions

Inconsistent with the Comprehensive Plan recommendations
Confusing organization
Unclear administrative procedures
Differences between some districts unclear
Some districts out-of-step with existing uses
Zoning districts incompatible with current development trends
Lack of flexibility
No provisions for residential cluster development
Definitions out-of-date or incomplete
Site plan, landscape, parking & sign standards incomplete





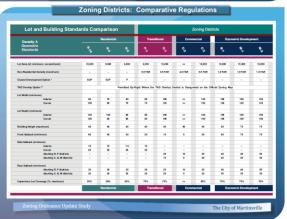




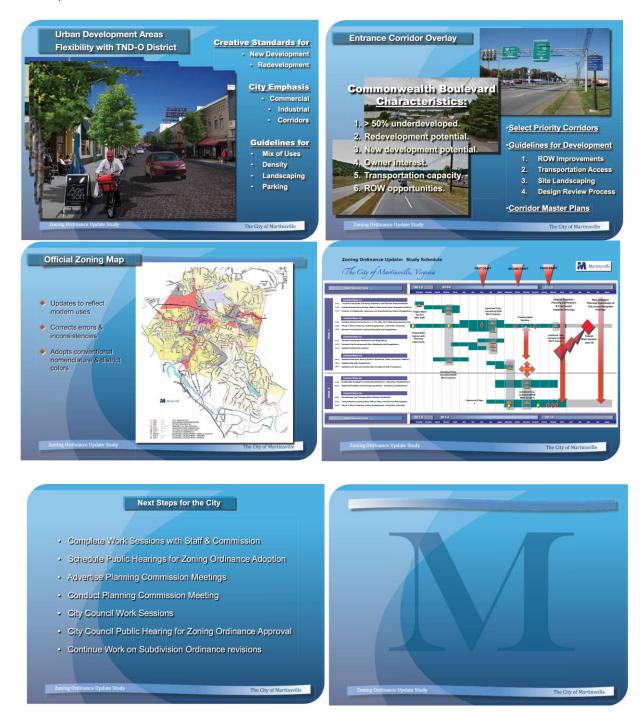












Following the presentation Council members asked questions – Council Member Hodge in regard to multi-family in residential zones, and Council Member Teague regarding a rental certification overlay.

Approval of consent agenda: Council Member Teague made a motion to approve the consent agenda and Council Member Stroud seconded the motion. Council Members voted 5-0 in favor to approve the consent agenda.

ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
FY15				
General Fun	_			
01101917	442402	Categorical Other State - Confiscated Assets - C Atty		13
01221082	506105	Comm Atty - Conf Assets State	134	
01101917	442401	Categorical Other State - Confiscated Assets - Police		19
01311085	506078	Police Dept - Conf Assets State	193	
		Asset Forfeiture Proceeds		
01101917	442601	Categorical Other State - EMS Four For Life		1,23
01322105 506114	EMS - Four For Life	1,239		
		Additional funding received		
01100909	490104	Advance/Recovered Costs		1,91
01331108	501300	Sheriff/Corrections - Part-time & Temporary Wages	1,390	
01331108	502100	Sheriff/Corrections - Social Security	86	
01331108	502110	Sheriff/Corrections - Medicare	20	
01331108	506008	Sheriff/Corrections - Vehicle Equipment & Maint.	278	
01331110	506200	Sheriff/Annex - Prisoner Allowance	136	
		Reimbursement from Henry County for litter pickup-	May	
01100909	490104	Advance/Recovered Costs		2,00
01123035 501300	Comm. of Revenue - Part-time/Temporary Wages	2,000		
	Funds from NCI for summer intern			
Total General F	und:		5,476	5,47
Capital Reser	uo Eundi			
16102926	436430	Categorical Federal - SCAAP Funds		2,01
16577367	508085		2,012	
103//50/	300063	Physical Plant Expansion - Sheriff/Jail Emergency Generator installation	2,012	
Fotal Capital	Reserve Fun	d:	2,012	2,01

## Business from the Floor:

Joe Martin, East Church St – expressed appreciation to Council for moving in a direction to assist small business groups, he also requested a public hearing on fluoridation and provided research on reasons to oppose fluoridation.

Patrick H. Wright, 1201 Spruce St – requested confirmation on safety of toothpaste and City fluoridation usage on the sewer system.

Jim Ennis, 1216 Knollwood Place –encouraged Council to make information public on zoning ordinance revisions, in addition he felt it would be important for the public to be made aware of the fluoridation concerns presented during the Council meeting and he feels this information should be published.

Ural Harris, 217 Stewart St – members of the planning commission would have been further along planning the zoning ordinance had they been meeting more often. He submitted a FOI request on June 5 but has not received a response. He submitted another request to City Manager Towarnicki asking him to respond soon.

Naomi Hodge-Muse, Martinsville-Henry County NAACP – stated she has received calls from City residents who have expressed concerns about the City School Board. She stated that all City schools are failing or on the edge. She says the school system has not recruited employees of color and school staff and administration does not mirror the student body of the schools. Ms. Muse expressed concern that four employees lost their job due to a \$75,000 budget cut. She asked that Council intervene and look at the school board and their processes.

Eric Monday – shared highlights from Virginia Living Magazine Best in Virginia, of 96 categories - 26 first place winners, 17 second place and 9 third place winners were from Martinsville and Henry County and in some categories Martinsville and Henry County has multiple place holders including all three places in the realtor category.

# Comments by members of City Council:

Council Member Stroud thanked everyone for their sympathy during his mother's recent death.

Council Member Teague offered condolences to Council Member Stroud and also, best wishes to Sheriff Draper regarding his recent injury.

Council Member Hodge, no comments

Vice Mayor Bowles reiterated that contact information for Council members is public and asks that the public contact them as needed.

Mayor Turner congratulated the Martinsville High School Boys Soccer team for placing second in the state championship, also congratulated the Martinsville High School Girls Tennis team for winning Regional Championship. He asked City Manager Towarnicki to recognize these teams at the next Council Meeting.

Stroud commented on UVA's baseball team in college world series.

<u>Comments by City Manager:</u> City Manager Towarnicki mentioned the fluoridation topic will be on Council's July 14th agenda. He has notified the local Health Department and Dr. Crabtree of this schedule.

Mayor Turner recessed the public session of the meeting and reconvened closed session at 9:10pm.

At the conclusion of the Closed Session, each member of Council certified that (1) only public business matters exempt from opening meeting requirements were discussed in said Closed Session and (2) only those business matters identified in

the motion convening the Closed Session were heard, discussed, or considered during the Session. A motion was made by Vice Mayor Bowles and seconded by Council Member Stroud with the following 5-0 roll-call recorded vote: Teague, aye; Stroud, aye; Turner, aye; Bowles, aye; Hodge, aye;.

A motion was made by Council Member Stroud to reappoint Nancy Baker to the Patrick Henry Community College Board, motion was seconded by Council Member Teague, approved by 5–0 vote.

A motion was made by Council Member Hodge and seconded by Council Member Stroud to reappoint Tonya Jones to Pittsylvania County Community Action, Inc. Board, approved by 5–0 vote.

## School Board seats:

Mrs. Carolyn McCraw - a motion was made to appoint Mrs. McCraw to the School Board by Council Member Teague, seconded by Council Member Stroud; Teague, aye; Stroud, aye; Hodge, nay; Bowles, nay; Hodge, nay.

Ms. Artis Law - a motion was made to appoint Ms. Law to the School Board by Council Member Stroud, seconded by Council Member Hodge; Turner, aye; Stroud, aye; Teague, nay; Bowles, nay; Hodge; nay.

Mrs. Joan Montgomery - a motion was made to appoint Mrs. Montgomery by Council Member Hodge, seconded by Vice Mayor Bowles; Teague, aye; Hodge, aye; Bowles, aye; Turner, nay; Stroud, nay.

Mr. Lawrence Mitchell - a motion was made to appoint Mr. Mitchell by Council Member Hodge, seconded by Vice Mayor Bowles; Hodge, aye; Turner, aye; Bowles, aye; Teague, nay; Stroud, nay.

Mr. Lawrence Mitchell and Mrs. Joan Montgomery were appointed to the School Board, each receiving 3 votes.

There being no further business, Council Member Hodge made a motion to adjourn the meeting at 11:50pm, Vice Mayor Bowles seconded the motion, and Council Members voted 5-0 all in favor.

Leon Towarnicki	Danny Turner
Deputy Clerk of Council	Mayor